



RADE			Application Number	09/484,548		
			Filing Date	June 18, 2000		
TRANS	MITTAL FOR	.M	First Named Inventor	Jules Gauthier		
	orrespondence during pe iled application)	endency of	Group Art Unit Number	3738		
			Examiner Name	David J. Isabella		
Total Number of Pag	es in This Submission	フ	Attorney Docket Number	23488-091	72	
	ENCL	OSURES	(check all that apply	/)		
Fee Transmitta	l Form (in duplicate)		Issue Fee Transi			
Che	ck Enclosed		Letter to Chief D	raftsperson		
Return Receipt	Postcard		Formal Drawing(-		
Response to No	otice to File Missing Part	ts	-	s) of Figure(s) [1	
Assignment & F	Recordation Cover Shee	t	Appeal Commun	ication to Board	of Appeals and	
Declaration			Interferences			
Power of Attorn	•		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)			
Application Date					<u>•</u>	
	closure Statement & PT		Certified Copy of Priority Document(s) After Allowance Communication to Group			
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	rrected Filing Receipt					
Request for Co	rrection of Recorded Ass	signment				
Amendment/Re	esponse: [] Page(s)		- □			
After	Final					
Status Request						
Revocation and	Substitute Power of Att	torney				
REMARKS:	·					
	SIGNA	TURE OF	ATTORNEY OR AGE	NTTN		
Signature:		a	C. Smust			
Attorney/Reg. No.:	Albert C. Smith/Reg.	No. 20,355		Dated:	7/25/05	
		ERTIFICA	ATE OF MAILING			
first class mail in an env If the Express Mail Maili	elope addressed to: Commi	ssioner for Pat , then this corre	identified above, is being depositions, P.O. Box 1450, Alexandria. espondence is being deposited with 1.10.	, VA 22313-1450 (on the date shown below.	
Signature:		C	2.C. Sui	r.L		
Typed or Printed Nar	me: Albert C. Smith			Dated:	7/25/05	
Evoress Mail Mailing	Number (ontional):					



FETTRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

Signature

(\$) 180.00

Complete if Known				
Application Number	09/484,548			
Filing Date	June 18, 2000			
First Named Inventor	Jules Gauthier			
Examiner Name	David J. Isabella			
Art Unit	3738			
Attorney Docket No.	23488-09172			

METHOD OF PAYME				F	EE CALCULATION (continued)		
□ Check □ Credit Card □ Money Order □ Other □ None □ Deposit Account:			DITION	AL FEE	s		
Deposit Account Number 19-2555		Large f	Entity	Small	Entity	Fee Description	Fee Paid
Deposit Account Name	Fenwick & West LLP	Fee Code	Fee (\$)	Fee Code	Fee (\$)		
The Commissioner is authorized to: (check all that apply) ☐ Charge fee(s) indicated below ☑ Credit any overpayments ☑ Charge all required fee(s) or any underpayment of fee(s) due			130 50 130	2051 2052 1053	65 25 130	Surcharge - late filing fee or oath or declaration Surcharge - late provisional filing fee or cover sheet Non-English specification	
under 37 CFR §1.16 or § application	1.17 during the pendency of this	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
l ''	pelow, except for the filing fee to osit account.	1804 1805	920* 1,840*	1804 1805	920* 1,840*	Requesting publication of SIR prior to Examiner action Requesting publication of SIR after Examiner action	
FEE CA	LCULATION	1251	120	2251	60	Extension for reply within first month	
BASIC FILING FEE Large Entity Small Entity			450 1020	2252 2253	225 510	Extension for reply within second month Extension for reply within third month	
Fee Fee Fee Code (\$)	Fee Description Fee Paid	1254 1255 1401	1,590 2,160 500	2254 2255 2401	795 1,080 250	Extension for reply within fourth month Extension for reply within fifth month Notice of Appeal	
		1402 1403 1451	500 1000 1,510	2402 2403 1451	250 500 1,510	Filing a brief in support of an appeal Request for oral hearing Petition to institute a public use proceeding	
		1452	500	2452	250	Petition to revive - unavoidable	
SUBTOTAL (1) (\$)			1,500	2453	750	Petition to revive - unintentional	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE			1,400	2501	700	Utility issue fee (or reissue)	
Extra	a Claims Fee from Fee Paid	1502	800	2502	400	Design issue fee	
Total Claims -20**=	x =	1503	1100	2503	550	Plant issue fee	
Independent Claims	х =	1460	_	1460	_	Petitions to the Director	
Multiple Dependent	=	1807	50	1807	50	Processing fee for Provisional Applications	
Large Entity Small Entity Fee Fee Fee Code (\$) Code (\$)	Fee Description	1806 8021	180 40	1806 8021	180 40	Submission of Information Disclosure Stmt Recording each patent assignment per property (times number of properties)	180
1202 50 2202 25	Claims in excess of 20	1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1201 200 2201 100	Independent claims in excess of 3	1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1203 360 2203 180	Multiple dependent claim, if not paid	1801	790	2801	395	Request for Continued Examination (RCE)	
1204 200 2204 100	**Reissue independent claims over original patent	1802	900	1802	900	Request for expedited examination of a design application	
1205 50 2205 25	**Reissue claims in excess of 20 and over original patent	Other f	ee (specif	ý)			
SUBTOT	•Doduc	ad by Basi	o Cilino T	ioo Daid	SUBTOTAL (3) (\$) 180.	00	
"or number previously paid, if g	greater; For Reissues, see above	Reduc	ed by Basi	c riling P	ee raid		
SUBMITTED BY						Complete (if applicable)	
Name (Print/Type)		Registration No. (Attorney/Agent) 20,355 Telephone (650) 335-7906					

Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPL**K**ANT:

Jules Gauthier et al.

APPLICATION NO.:

09/484,548

FILING DATE:

June 18, 2000

TITLE:

Microwave Ablation Instrument With Flexible Antenna Assembly

And Method

EXAMINER:

David J. Isabella

GROUP ART UNIT:

3738

ATTY. DKT. NO.:

23488-09172

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated:

7/25/05

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a.c.

Albert C. Smith, Reg. No.: 20,355

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INFORMATION DISCLOSURE STATEMENT Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

within three months of the filing date of the application, or date of entry into
the national stage of an international application, or before the mailing date of
a first office action on the merits, whichever event last occurred;
before the mailing of a first official action after the filing of a request for
continued examination (RCE) under 37 CFR § 1.114;

Ш			onths of the filing date of this national application or the date of				
	_		ational stage in an international application, or after the mailing				
	date of	f the firs	st official action on the merits, whichever event last occurred, but				
	before	the ma	iling date of the first to occur of either: (1) a final action under				
	37 CF	R §1.11	3; or (2) an action that otherwise closes prosecution in the				
	applic	ation, a	nd:				
		attacl	ned hereto is the fee set forth under 37 CFR §1.17(p) for				
		subm	ission of this Information Disclosure Statement under 37 CFR.§				
		1.97(1.97(c); OR				
		Appli	icant certifies pursuant to 37 CFR § 1.97(e) that:				
			each item of information contained in this Information				
			Disclosure Statement was first cited in a communication from				
			a foreign patent office in a counterpart foreign application not				
			more than three months prior to the filing of this Statement;				
			OR				
			no item of information contained in this Information				
			Disclosure Statement was cited in a communication from a				
			foreign patent office in a counterpart foreign application and,				
			to the knowledge of the person signing this certification after				
			making reasonable inquiry, no item of information contained				
			in this Statement was known to any individual designated				
			under 37 CFR § 1.56(c) more than three months prior to the				
			filing of this Statement;				
\boxtimes	on or	before	the payment of the issue fee but after the mailing date of the first				
	to occ	cur of e	ither: (1) a final action under 37 CFR § 1.113; (2) a notice of				
	allow	ance un	nder 37 CFR § 1.311; or (3) an action that otherwise closes				
	prose	cution i	n the application, and:				
	\boxtimes	Appli	icant certifies pursuant to 37 CFR. § 1.97(e) that:				
			each item of information contained in this Information				
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			foreign patent office in a counterpart foreign application not				
			more than three months prior to the filing of this Statement;				
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			foreign patent office in a counterpart foreign application and,				
			to the knowledge of the person signing this certification after				
			making reasonable inquiry, no item of information contained				

in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND attached hereto is the fee set forth under 37 CFR §1.17(p) for \boxtimes submission of this Information Disclosure Statement under 37 CFR.§ 1.97(c); OR after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO. Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose. This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. _____, filed on _____, and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d). This application was filed after June 30, 2003. Therefore, pursuant to the waiver of П the requirements under 37 CFR 1.98(a)(2)(i), copies of each U.S. Patent and each U.S. Patent Application Publication are not required to be submitted. Copies of any foreign patent documents and non-patent literature cited herein are enclosed. Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d). Applicant submits that no fee is required for the consideration of this Information Disclosure Statement. Consideration of the listed references and favorable action are solicited. Respectfully submitted, JULES GAUTHIER ET AL. a.C. Smith Dated: 7(25/05 Albert C. Smith, Reg. No.: 20,355 Fenwick & West LLP 801 California Street Mountain View, CA 94041

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Tel.: (650) 335-7296 Fax.: (650) 938-5200

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e Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO Complete if Known Application No. 09/484,548 INFORMATION DISCLOSURE Filing Date June 18, 2000 STATEMENT BY APPLICANT First Named Inventor Jules Gauthier Art Unit 3738 **Examiner Name** David J. Isabella Attorney Docket Number 23488-09172 Sheet of

			U.S. PATENT	DOCUMENTS	
		Document No.			
Examiner Cite Initials* No.1		Number – Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	
		US-5,207,672	05-1993	Roth et al.	
		US-5,454,807	10-1995	Lennox et al.	
	_	US-5,593,404	01-1997	Costello et al.	
		US-5,741,249	04-1998	Moss et al.	
		US-6,306,124	10-2001	Jones et al.	
	<u> </u>		FOREIGN PATE	NT DOCUMENTS	
		Foreign Patent Document			
Examiner Initials*	Cite No.1	Country Code ³ – Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS						
Examiner Cite No.1		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, ma journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country w published				
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Examiner Signature	Date Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number. (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.